

IN THE UNITED STATES DISTRICT COURT
SOUTHWESTERN DISTRICT OF OHIO
WESTERN DIVISION

BILLY BRANTLEY, et al.	:	CASE NO. C-1-01-378
	:	
Plaintiffs,	:	Judge Susan J. Dlott
	:	
vs.	:	
	:	
CINERGY CORP.	:	NOTICE OF FILING OF
	:	DEPOSITIONS OF
Defendant.	:	<u>TODD TOLBERT</u>

Notice is hereby given pursuant to Rule 30(F)(3) of the Federal Rules of Civil Procedure that the depositions of Todd Tolbert, Volume I taken on October 2, 2003 and Volume II taken on December 18, 2002, pursuant to the Federal Rules of Civil Procedure, were filed with the Court on August 1, 2003 in the above-captioned matter.

Respectfully submitted,

/s/ Jill T. O'Shea
Jill T. O'Shea (0034692)
Attorney for Defendant,
Cinergy Corp.
139 East Fourth Street – 25 AT II
P.O. Box 960
Cincinnati, Ohio 45201-0960
513) 287-2062

/s/ Gregory V. Mersol

Gregory V. Mersol (0030838)
John B. Lewis (0013156)
BAKER & HOSTETLER LLP
3200 National City Center
1900 East Ninth St.
Cleveland, OH 44114-3485
Telephone: (216) 621-0200
Facsimile: (216) 696-0740

*Attorneys for Defendant
Cinergy Corp.*

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading was forwarded via ordinary mail
this 28th day of July, 2004 to:

Paul H. Tobias
David D. Kammer
TOBIAS, KRAUS & TORCHIA, LLP
414 Walnut Street
Suite 911
Cincinnati, OH 45202

David W. Sanford, Esq.
Sanford, Wittels & Heisler, LLP
2120 K Street NW
Suite 700
Washington, D.C. 20037

Barry Vaughn Frederick
Herman Nathaniel Johnson, Jr.
Robert L. Wiggins
Ann K. Wiggins
Susan Donahue
Robert F. Childs
Wiggins, Childs, Quinn & Pantazis, P.C.
1400 South Trust Tower
420 North 20th Street
Birmingham, Alabama 35203

Grant E. Morris
Law Offices of Grant E. Morris
7 DuPont Circle, N.W.
Suite 250
Washington, D.C. 20036

/s/ Jill T. O'Shea

Jill T. O'Shea